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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF NEW YORK

THERESA CHAMBERLIN,

Plaintiff,

Civil Action No.
10-0631 (DNH/GHL)

v.

MICHAEL J. ASTRUE,
COMMISSIONER
OF SOCIAL SECURITY,

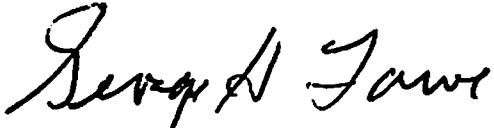
**CONSENT ORDER TO
REMAND PURSUANT TO
SENTENCE 4 OF
42 U.S.C. §405(g)**

Defendant.

This matter having been opened to the Court by RICHARD S. HARTUNIAN, United States Attorney for the Northern District of New York, and Vernon Norwood, Special Assistant United States Attorney, attorneys for Defendant, for an Order remanding the within cause of action to the Defendant pursuant to sentence 4 of 42 U.S.C. § 405(g) so that further administrative action may be taken. Upon remand, the Appeals Council will (1) vacate its April 12, 2010 denial of plaintiff's request for review of the Administrative Law Judge's February 10, 2009 decision; (2) consider all evidence submitted to the Appeals Council and permit plaintiff to submit further evidence relating to the period at issue; and (3) consider whether such evidence warrants remand of plaintiff's claim to an Administrative Law Judge for reconsideration in light of evidence submitted to the Commissioner after February 10, 2009.

Plaintiff, through the undersigned attorney, having consented to the within order and the requested remand, and the Court having considered the matter,

IT IS on this 29th day of October 2010; ORDERED that the final decision of the Defendant be and hereby is REVERSED, and the matter is REMANDED to the Defendant for further administrative action, and it is further ORDERED that the within matter, be and hereby is, DISMISSED in accord with the decision in Melkonyan v. Sullivan, 501 U.S. 89 (1991).



HONORABLE GEORGE H. LOWE
United States Magistrate Judge

The undersigned hereby consent to the form and entry of the within order.

RICHARD S. HARTUNIAN
United States Attorney

Dated: October 27, 2010

By: /s/ Vernon Norwood
Vernon Norwood
Special Assistant U.S. Attorney
Bar No. 513792

Offices - Harry J. Binder & Charles E. Binder, P.C.
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Dated: October 28, 2010

/s/ Charles E. Binder
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